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**OFFICE OF PETITIONS**

In re Application of  
Karel Van Den Berg  
Application No. 09/884,829  
Filed: June 19, 2001  
Attorney Docket No. 04132.0125.000000

NOTICE

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989)**. Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

This application is no longer entitled to small entity status. Accordingly, all future fees paid in this application must be paid at the large entity rate.

Receipt is acknowledged of the Power Of Attorney To Prosecute Applications Before The USPTO and Statement Under 37 CFR 3.73(b) filed with the instant notice on October 24, 2008. The office records will be corrected accordingly.

Petitioner authorized payment of \$130.00 petition fee; however, there is no petition fee when notifying the office the change of entity. Therefore, the \$130.00 is being credited to Petitioner's deposit account.

Inquiries related to this communication should be directed to the undersigned at (571) 272-3213.

Cheryl Gibson-Baylor  
Petitions Examiner  
Office of Petitions



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UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/884,829	06/19/2001	Karel Van den Berg	04132.0125.000000

CONFIRMATION NO. 2485

POA ACCEPTANCE LETTER

32894  
HOWREY LLP-EU  
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Date Mailed: 12/09/2008

**NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 10/24/2008.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/cpgibson baylor/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101